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PCT/KR2005/000005

PATENT COOPERATION TREATY

From the
INTERNATIONAL SEARCHING AUTHORITY

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To:

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DASOL PATENT & LAW FIRM 202, Ace Twin Tower 2
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INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43bis.1)

Date of mailing
(day/month/year) 27 APRIL 2005 (27.04.2005)Applicant's or agent's file reference
FP-2004-0006

FOR FURTHER ACTION

See paragraph 2 below

International application No.

PCT/KR2005/000005

International filing date (day/month/year)

04 JANUARY 2005 (04.01.2005)

Priority date(day/month/year)

26 MARCH 2004 (26.03.2004)

International Patent Classification (IPC) or both national classification and IPC

IPC7 A61F 9/06

Applicant

OTOSTECH CO., LTD. et al

1. This opinion contains indications relating to the following items:

- ☒ Box No. I Basis of the opinion
- ☐ Box No. II Priority
- ☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- ☐ Box No. IV Lack of unity of invention
- ☒ Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- ☐ Box No. VI Certain documents cited
- ☐ Box No. VII Certain defects in the international application
- ☐ Box No. VIII Certain observations on the international application

2. FURTHER ACTION

If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.
For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA/KR

Korean Intellectual Property Office
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**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

International application No.

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Box No. I Basis of this opinion

1. With regard to the **language**, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.

☐ This opinion has been established on the basis of a translation from the original language into the following language _____, which is the language of a translation furnished for the purposes of international search (under Rules 12.3 and 23.1(b)).
2. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:
 - a. type of material
☐ a sequence listing
☐ table(s) related to the sequence listing
 - b. format of material
☐ in written format
☐ in computer readable form
 - c. time of filing/furnishing
☐ contained in the international application as filed.
☐ filed together with the international application in computer readable form.
☐ furnished subsequently to this Authority for the purposes of search.
3. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
4. Additional comments:

**WRITTEN OPINION OF THE
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**Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability;
citations and explanations supporting such statement**

1. Statement

Novelty (N)	Claims	2-7	YES
	Claims	1	NO
Inventive step (IS)	Claims	2-7	YES
	Claims	1	NO
Industrial applicability (IA)	Claims	1-7	YES
	Claims	None	NO

2. Citations and explanations :

The following document has been considered for the purpose of this written opinion:

D1: KR 2000-0043613 A

1. Novelty and Inventive Step

The present invention relates to a dazzle prevention device having an electromagnetic wave detection function. Specifically, the electromagnetic wave detection means can be additionally used according to the selection of the operator when efficient control cannot be performed only by the optical detection means under certain environmental conditions.

The closest art appears to be represented by D1.

D1 (figure 2) discloses a dazzle preventing device comprising an optical detection means(14); an electromagnetic wave sensor means(6); an electromagnetic wave detection means(16); a control means(20); and a light transmission control means(22).

The subject matter of claim 1 is a dazzle prevention device comprising an optical detection means; an electromagnetic wave sensor means; an electromagnetic wave detection means; a control means; and a light transmission control means.

Thus, the subject matter of claim 1 is neither novel nor inventive [PCT Article 33(2) and (3)].

(Continued on Supplemental Box.)

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Supplemental Box

In case the space in any of the preceding boxes is not sufficient.
Continuation of:

Box V.

The main difference between the present invention and D1 is the mode selection means.

In D1, both optical detection means and electromagnetic wave detection means are used regardless of environmental conditions. In the present invention, mode 1 (using only the optical detection means) or mode 2 (using both the optical detection means and the electromagnetic wave detection means) can be selected according to the environmental conditions.

The subject matter of claims 2 to 7 is a dazzle prevention device having an additional feature, a user interface which facilitates selection of mode 1 (using only the optical detection means) or mode 2 (using both the optical detection means and the electromagnetic wave detection means). D1 does not suggest any means set to use the electromagnetic wave detection means according to environmental conditions. Therefore, the subject matter of claims 2 to 7 is novel and also involves an inventive step [PCT Article 33(2) and (3)].

2. Industrial applicability

The subject matter of claims 1-7 is considered to be industrially applicable [PCT Article 33(4)].